TRINIDAD AND TOBAGO HOUSING DEVELOPMENT CORPORATION ACT

CHAPTER 33:03

Act
24 of 2005

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Note on Subsidiary Legislation

This Chapter contains no subsidiary legislation.

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TRINIDAD AND TOBAGO HOUSING DEVELOPMENT CORPORATION ACT

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CHAPTER 33:03

TRINIDAD AND TOBAGO HOUSING DEVELOPMENT CORPORATION ACT

An Act to establish the Trinidad and Tobago Housing Development Corporation and for related matters. 24 of 2005.

*[ASSENTED TO 13TH SEPTEMBER 2005]

PART I

PRELIMINARY

1. This Act may be cited as the Trinidad and Tobago Housing Development Corporation Act. Short title.

2. This Act came into operation on the 13th September 2005. Commencement. 254/2005.

3. (1) In this Act— Interpretation.

"appointed day" means the date on which this Act comes into operation;

"Authority" means the National Housing Authority established by the Housing Act; Ch. 33:01.

"Board" means the Board of the Trinidad and Tobago Housing Development Corporation established under section 5 of this Act;

"corporate plan" means a plan prepared in accordance with section 16 of this Act;

"flat" means a separate and self-contained set of premises constructed for use as a dwelling and forming part of a building from some other part of which it is divided;

"house" means any premises used as a separate dwelling or premises of a type suitable for use as a separate dwelling and includes—

(a) a part of a building occupied or intended to be occupied as a separate dwelling; and

(b) a flat;

See section 2 for date of commencement of this Act.

"housing project" means a project, together with the land upon which it is situated consisting of one or more houses, together with any public space, recreational facilities, commercial space and other buildings appropriate to the project;

"Minister" means the Minister to whom responsibility for the Trinidad and Tobago Housing Development Corporation is assigned;

"pension fund plan" has the meaning assigned to it by section 28(1) of the Income Tax Act; Ch. 75:01.

"subsidiary" means a company incorporated under the Companies Act in which the Trinidad and Tobago Housing Development Corporation— Ch. 81:01.

(a) has a majority of voting rights;

(b) is a member of the company and can appoint or dismiss the majority of the directors; or

(c) is a member of the company and controls, alone or in agreement with others, a majority of the voting rights in that company; and

"Tobago House of Assembly" means the Tobago House of Assembly established by section 141A of the Constitution. Ch. 1:01.

(2) For the purposes of section 13 "person" means a citizen or resident of Trinidad and Tobago within the meaning of the Immigration Act and for the purposes of section 14 "person" means a company, the majority shareholders of which, are citizens or residents. Ch. 18:01.

Act binds the State.

4. This Act binds the State.

PART II

ESTABLISHMENT OF THE CORPORATION AND THE BOARD

Establishment of the Trinidad and Tobago Housing Development Corporation.

5. There is hereby established, a body corporate to be known as "the Trinidad and Tobago Housing Development Corporation" (hereinafter referred to as "the Corporation").

Seal of the Corporation.

6. (1) The Corporation shall have a seal which shall be kept in the custody either of the Chairman or the Deputy Chairman or the Secretary as the Corporation may determine, and may be affixed to instruments made pursuant to this Act or to a resolution of the Board and in the presence of the Chairman or Deputy Chairman, or other member of the Board and the Secretary.

(2) The Seal of the Corporation shall be attested by the signature of the Chairman, Deputy Chairman or other member of the Board and the Secretary.

(3) All documents, other than those required by law to be under seal made by, and all decisions of the Corporation may be signified under the hand of the Chairman or Deputy Chairman or the Secretary.

(4) Service upon the Corporation of any notice, order or other document shall be executed by delivering the same or by sending it by registered post addressed to the Secretary at the office of the Corporation.

Composition and appointment of Board.

7. (1) The business of the Corporation shall be managed by its Board which shall be comprised of no less than five and no more than nine members appointed by the President, who by reason of their qualification and experience are capable of contributing meaningfully to the deliberations of the Board.

(2) The President may appoint any two members of the Board to be Chairman and Deputy Chairman.

(3) At least one member of the Board shall be appointed by the President after consultation with the Chief Secretary of the Tobago House of Assembly.

(4) A member of the Board shall be appointed on the terms and conditions specified in the First Schedule.

First Schedule.

(5) An appointment, termination or resignation of a member of the Board shall be published in the *Gazette*.

(6) The Minister may by Order, amend the First Schedule.

Business of the Board. Second Schedule.

8. (1) The Board shall conduct its business in the manner specified in the Second Schedule.

(2) The Board may by Order, amend the Second Schedule.

Disclosure of interest of Managing Director and Board Members.

9. (1) The Managing Director and every member of the Board shall give in writing—

(a) notice to the Board of all direct or indirect pecuniary interests that they have or acquired in any business or in any body corporate carrying on any business with the Corporation in the exercise of its functions; and

(b) an undertaking that they will not engage, directly or indirectly, in any business or professional activity which would conflict with the performance of their duties to the Corporation as Managing Director or Board member as the case may be with the functions of the Corporation.

(2) A member of the Board who has a direct or indirect pecuniary interest in a matter being considered or about to be considered by the Board shall—

(a) as soon as possible after the relevant facts come to his knowledge, disclose the nature of his interest before the Board deliberates on the matter; and

(b) shall not solicit the support of any other member of the Board or any officer or any member of staff of the Corporation to obtain an advantage over any other person in the matter being considered.

(3) Disclosure by a member of the Board under subsection (1), shall be recorded in the minutes of the meeting of the Board and after such disclosure the member shall not—

(a) be present during any deliberation of the Board with respect to that matter; or

(b) take part in any decision of the Board with respect to that matter.

Establishment of committees to assist Board with its functions.

10. The Board may form committees comprising its members or other persons to assist in the performance of the functions of the Corporation and shall with the approval of the Minister declare by resolution, the remuneration and allowances if any of members of the Committees.

Obligations of the Board.

11. The Board, in ensuring the performance of the functions of the Corporation, shall exercise due care and act in a prudent and conscientious manner.

Powers of the Minister.

12. The Minister may give to the Board directions in writing of a specific or general nature to be followed in the performance of its functions or the exercise of its powers under this Act, with which the Board shall comply.

Functions and duties of the Corporation.

13. (1) Subject to this Act, it shall be the function and duty of the Corporation to—

(a) do all things necessary and convenient for or in connection with the provision of affordable shelter and associated community facilities for low and middle income persons;

(b) carry on any business activity that is incidental to or which may be performed conveniently by the Corporation or which may assist the Corporation in connection with its delivery of the services referred to in paragraph *(a)*; and

(c) implement the broad policy of the Government in relation to housing as may be directed by the Minister from time to time.

(2) Without limiting the generality of subsection (1), the Corporation may—

(a) prepare and execute proposals, plans and projects for—

(i) the erection, conversion, improvement, distribution and extension of any

houses for sale, lease, rental or other purpose; and

(ii) the clearance and redevelopment of slum areas;

(b) manage all lands, houses, including houses held on leases and buildings or other property vested in it, belonging to it or under its control;

(c) carry out investigations and the surveys necessary for the performance of its functions and duties;

(d) provide services in accordance with this Act for owners or occupiers of houses including arranging for or carrying out works or maintenance, repair or improvements or encouraging or facilitating the carrying out of such works;

(e) acquire houses, land or housing projects by way of purchase, lease or otherwise;

(f) sell, lease, exchange or otherwise dispose of real or personal property acquired by it pursuant to this Act;

(g) cause to be prepared and undertaken, directly or in co-operation with any Ministry or agency of the Government or with any other government or with any university, educational institution or person, programmes or technical research and investigation into the improvement and development of methods of construction, standards, material, equipment, fabrication, planning, designing and other factors involved in the construction or provision of improved housing accommodation in Trinidad and Tobago and co-ordinate the programmes or measures undertaken in Trinidad and Tobago with special reference to housing accommodation for families of low or middle incomes;

(h) appoint agents and attorneys and act as agent for other persons;

(i) form and participate in the formation, subscribe for and purchase of shares, debentures and other securities of companies;

(j) subscribe for and purchase shares, debentures, and other securities of companies, the business of which relates to the functions of the Corporation as identified in section 13;

(k) participate in partnerships, trusts, unincorporated joint ventures and other arrangements for the carrying out or sharing of profits from the carrying out of the services provided under this Act;

(l) make provision in such manner as it deems advisable or in co-operation with any department or agency of the Government, or with any other government or with any university, educational institution or person, for promoting training in the construction or designing of houses, in land planning or community planning or in the management or operation of housing projects;

(m) construct housing units for experimental purposes upon land owned by the State or to be acquired for such purposes;

(n) participate with local authorities in housing projects;

(o) borrow money and give guarantees;

(p) issue debentures and grant floating charges on its property;

(q) engage consultants;

(r) accept gifts, grants, bequests and devices made to it, and act as trustee for money and other property vested in it on trust;

(s) provide consultancy and project management services;

(t) fix charges and fix terms and conditions of work done, or for services, goods and information supplied by it;

(u) where it deems necessary or convenient in furtherance of its mandate make direct loans or soft loans in accordance with the Housing Act;

Ch. 33:01.

(v) directly or by contract—

(i) install services in and effect improvements to in respect of land acquired by it and develop and lay out the land for housing purposes;

(ii) construct, convert or improve housing projects;

(iii) acquire building material and equipment and other personal property for use in connection with housing projects;

(iv) hold, operate, manage, maintain, supervise, alter, renovate, add to, improve, repair, demolish, and salvage properties acquired by it; and

(v) exercise all powers which are incidental to those specified in this section.

Powers of the Corporation.

14. (1) The Corporation has the power to do all things necessary and convenient to be done for, or in connection with the performance of its functions specified in section 13.

(2) Notwithstanding the generality of subsection (1), the Corporation shall, in respect of Tobago be subject to the provisions of the Tobago House of Assembly Act and in particular section 25(3).

Ch. 25:03.

PART III

MANAGING DIRECTOR

Appointment of Managing Director.

15. (1) The Board shall appoint as Managing Director, a person who, in its opinion has demonstrated the necessary skill and experience in corporate management.

(2) The Managing Director shall hold office for such period not exceeding five years, as is specified in the instrument of appointment, and is eligible for reappointment.

(3) The terms and conditions of employment of the Managing Director shall be approved by the Minister.

Relationship of the Managing Director with the Board.

16. (1) The Managing Director shall be responsible for the day-to-day management of the Corporation subject to the general directions of, and in accordance with policies laid down by the Board.

(2) All acts and things done in the name of or on behalf of the Corporation by the Managing Director shall be deemed to have been done by the Corporation.

PART IV

PLANNING AND MANAGEMENT

Preparation of corporate plan.

17. (1) The Board shall prepare and submit a corporate plan for the Corporation and its subsidiaries to the Minister.

(2) The first corporate plan shall be for a period of not less than three years and no more than five years beginning on a date no later than six months after the commencement of this Act, and each subsequent corporate plan shall take effect immediately on the expiry of the previous corporate plan and shall be for a period not exceeding three years.

(3) The Board may review and revise a corporate plan prepared under subsection (1) at any time.

Board to keep proper accounts.

18. The Board shall—

(a) cause proper books, accounts and records to be maintained in accordance with internationally and locally recognised accounting standards, principles and practices; and

(b) ensure that—

(i) all payments by the Corporation are correctly made and properly authorised; and

(ii) adequate control is maintained over the management of assets and the incurring of liabilities.

Audit.

19. (1) The accounts of the Corporation and its subsidiaries shall be audited annually by the Auditor General or by an auditor authorised by the Auditor General in writing for that purpose.

(2) The Auditor General or the auditor referred to in subsection (1), shall have access to all books of accounts, records, documents, assets and information concerning the Corporation and its subsidiaries.

(3) Nothing in subsection (1) precludes the Auditor General, the auditor referred to in subsection (1), or an auditor engaged by the Board from performing a management or comprehensive audit of the activities of the Corporation.

(4) On completion of any audit of the Corporation, the Auditor General or the auditor referred to in subsection (1), as the case may be, shall immediately draw to the attention of the Minister and the Board of any irregularity disclosed by the audit which, in the opinion of the Auditor General or the auditor, is of sufficient importance to justify doing so.

(5) The Auditor General or the auditor referred to in subsection (1), shall submit to the Minister and the Board a report on the results of the annual audit.

(6) The report referred to in subsection (5), shall include—

(a) a statement on the accounting policies for the services provided by the Corporation and its subsidiaries; and

(b) an opinion whether the financial statements present fairly in all material respects, the financial position of the Corporation and its subsidiaries and the result of its operation and

its cash flows in accordance with international accounting standards adopted by the Institute of Chartered Accountants of Trinidad and Tobago.

(7) For the purpose of an audit conducted under this Act, the Exchequer and Audit Act shall apply as if an audit referred to in this section is one to which that Act applies. Ch. 69:01.

Annual Report.

20. (1) The Board shall, within three months of the end of each financial year, submit an annual report to the Minister in respect of the operation of the Corporation and its subsidiaries.

(2) The Minister shall lay the annual report in Parliament within three months of his receipt of the report and if Parliament is not then in session, within three months after the commencement of its next session.

The Corporation to inform Minister of commercial ventures.

21. Where the Corporation or a subsidiary proposes to—

(a) form or participate in the formation of a company;

(b) participate in a company, partnership, trust, unincorporated joint venture or other arrangement for the sharing of profits;

(c) acquire more than ten per cent of the shareholding in a company or business;

(d) expend more than five million dollars in a new business;

(e) undertake a significant new business activity; or

(f) make a significant change in the nature or extent of its interest in a company, partnership, trust, unincorporated joint venture or other arrangement for the sharing of profits,

the Board shall immediately give written notice of the particulars of the proposed activity to the Minister.

PART V

FINANCE

Establishment of the Housing Development Corporation Fund.

22. (1) There is hereby established a fund to be known as the "Housing Development Corporation Fund" (hereinafter referred to as "the Fund").

(2) The Fund shall comprise of—

(a) appropriations by Parliament from the Consolidated Fund;

(b) those sums which at the commencement of this Act stand to the credit of the Government under the Housing Act or the Authority whether under the Housing Act or otherwise;

Ch. 33:01.

(c) such sums received by the Corporation from international organisations, multilateral or bilateral lending agencies or corporations for the exercise of any of the functions of the Corporation;

(d) the capital of the Corporation;

(e) sums received by or owed to the Corporation in respect of its functions; and

(f) any other sum paid to the Corporation in respect of the performance of its functions and the exercise of its powers.

Application of the Fund.

23. The Fund shall be applied in defraying the following expenditure:

(a) the acquisition of real and personal property by the Corporation in the course of performing its functions;

(b) the remuneration payable to employees;

(c) the remuneration and honoraria of members of the Board or a member of any committee;

(d) contributions to the pension fund plan referred to in section 35;

(e) fees for the services of consultants;

(f) capital and operating expenses, including maintenance and insurance of the property of the Corporation;

(g) the making and maintenance of investments and loans by the Corporation in the discharge of its functions;

(h) the payment of returns to the Government in accordance with section 26; and

(i) any other expenditure authorised by the Corporation in the discharge of its functions.

Creation of a reserve fund.

24. Any balance of the Fund after defraying any expenditure referred to in section 23 may be—

(a) applied to the creation of reserve fund to finance future expansion of capital works and improvement of services of the Corporation; or

(b) invested in any manner that is consistent with sound business practice.

Determination of assets and capital.

25. (1) The Minister shall, after consultation with the Board determine in writing and as soon as practicable after the commencement of this Act, the initial capital of the Corporation.

(2) The Minister shall lay in Parliament as soon as practicable after the commencement of this Act, a report which shall include—

(a) a statement of the amount of the Corporation's initial capital referred to in subsection (1);

(b) a statement of any liabilities converted into capital;

(c) a statement of any amounts paid by way of Parliamentary appropriation; and

(d) a copy of the valuation referred to in section 41(4).

Payment of return.

26. (1) Within three months after the end of each financial year, the Board in consultation with the Minister of Finance by written notice, may recommend to the Minister that the

Corporation pay a return to the Government, according to principles determined jointly by the Minister and the Board.

(2) In making the recommendation, the Board shall have regard to those matters required to be considered in setting its financial target.

(3) The Minister shall, after consultation with the Minister of Finance within sixty days after receiving that recommendation, either—

(a) approve the recommendation; or

(b) direct the payment of the recommended return or a different return as the case may be.

(4) The return payable for a financial year shall not exceed the net profit of the Corporation.

(5) The return shall be paid within six months of the notice referred to in subsection (1), or within such period as the Minister directs.

Borrowing from the Government.

27. The Minister with responsibility for finance may, on behalf of the Government, out of money appropriated by Parliament for the purpose, lend money to the Corporation on such terms and conditions as he determines in writing.

Borrowing from non-Government sources.

28. (1) The Corporation may, with the approval of the Minister and the Minister with responsibility for finance—

(a) borrow money from bodies other than the Government; and

(b) give security over the whole or any part of its assets for the due performance of its obligations incurred pursuant to this section.

(2) Money may be borrowed by the Corporation wholly or partly in foreign currency.

Exemption from Central Tenders Board Act. Ch. 71:91.

29. (1) Subject to subsection (3), the Corporation in pursuance of its functions, is exempt from the Central Tenders Board Act.

(2) The Board shall, subject to the Minister's approval, make rules relating to the award of tenders and contracts and those rules shall govern the conduct of the award of tenders and related matters.

(3) Until the rules are made under subsection (2), the Corporation shall follow the procedures detailed in the Central Tenders Board Act. Ch. 71:91.

(4) Rules made under this section shall be subject to negative resolution of Parliament.

(5) Rules made under this section shall be available to any person on request and on payment of the prescribed fee.

PART VI

STAFF

Board to employ staff.

30. The Board may within an organisational structure approved by the Minister—

(a) employ such staff as is required by the Corporation for the proper administration of its functions; and

(b) fix qualifications, terms and conditions of service and salaries for its employees.

Options available to officers of the Authority.

31. (1) This section applies to a person who on the date of assent of this Act—

(a) holds a permanent appointment to; or

(b) holds a temporary appointment to, and has served at least two continuous years in,

an office specified in the Third Schedule. Third Schedule.

(2) A person to whom this section applies may, within six months of the appointed day, exercise one of the following options:

(a) to retire voluntarily from the service of the Authority on terms and conditions agreed between him or the appropriate recognised

association representing him and the Chief Personnel Officer; or

(b) to transfer to the Corporation with the approval of the Statutory Authorities Service Commission on terms and conditions no less favourable than those enjoyed by him in the service of the Authority.

Options available to daily rated employees.

32. (1) This section applies to any person who is not a public officer but on the appointed day—

(a) holds a permanent appointment to; or

(b) holds a temporary appointment to, and has served at least two continuous years in,

a position specified in the establishment of the Authority.

(2) A person to whom this section applies, may within six months of the appointed day exercise one of the following options:

(a) to retire voluntarily from the service of the Authority on terms and conditions agreed between him or the recognised majority union representing him and the Authority; or

(b) accept an offer of employment in the Corporation on terms and conditions no less favourable than those enjoyed by him in the Authority.

Persons to whom section 31 or 32 is not applicable.

33. Any person who is on the coming into operation of this Act in the service of and has served for at least two continuous years in the Authority and to whom section 31 or 32 does not apply shall be treated, as regards the benefits which that person is entitled to by contract or otherwise, no less favourable than the persons referred to in sections 31 and 32.

Application of section 15(4) of the Pensions Act.

34. Where a person to whom section 31 or 32 applies does not exercise any of the options made available to him, the office which he holds shall from the date of coming into

operation of this Act be deemed to be abolished for the purposes of payment of a pension to that person under section 15(4) of the Pensions Act. Ch. 23:52.

Corporation to establish pension fund plan.

35. (1) The Corporation shall, within two years of the appointed day, establish a pension fund plan.

(2) All employees of the Corporation are eligible to be members of the pension fund plan.

Preservation and accrual of superannuation benefits.

36. The superannuation benefits which have accrued to a person who exercises the option under section 31(2)*(b)* or 32(2)*(b)* as applicable, shall be preserved at the date of his employment by the Corporation, and such person and such benefits shall continue to accrue under the Pensions Act up to the date of the establishment of the pension fund plan on the basis of salary applicable to the office which he held immediately prior to his employment by the Corporation. Ch. 23:52.

Payment of superannuation benefits by the Corporation prior to the establishment of the pension fund plan.

37. (1) Where an employee of the Corporation who exercises the option referred to in section 31(2)*(b)* or 32(2)*(b)* retires, dies or is retrenched prior to the establishment of the pension fund plan, and at the date of retirement, death, or retrenchment was in receipt of a salary higher than that referred to in section 36, the superannuation benefits payable to his estate or him shall be based on the higher salary.

(2) The difference between the superannuation benefits payable on the basis of the higher salary and those payable under the Pensions Act on the basis of the salary referred to in section 35, shall be paid by the Corporation. Ch. 23:52.

Payment of superannuation benefits by pension fund plan.

38. (1) Where an employee of the Corporation who exercises the option referred to in section 31(2)*(b)* or 32(2)*(b)* retires, dies or is retrenched and is a member of the pension fund plan, he or his estate shall be paid superannuation benefits by the pension fund plan at the amount, which when combined with the preserved superannuation benefits payable under section 37, the equivalent to the benefits based on his pensionable service in the

public service combined with his service in the Corporation and calculated at the pensionable salary applicable to him on the date of his retirement, death or retrenchment.

(2) For the purposes of subsection (1), "pensionable salary" has the meaning given to it by the pension fund plan.

Representation.

39. (1) Subject to the Industrial Relations Act, the Public Services Association of Trinidad and Tobago and National Union of Government and Federated Workers shall be deemed to be certified recognised majority unions under Part III of the Industrial Relations Act for the bargaining units comprising the monthly paid and daily paid employees of the Corporation.

Ch. 88:01.

(2) An application for the certification of recognition under Part III of the Industrial Relations Act shall not be entertained or proceeded with where the application is made earlier than two years from the date on which this amendment comes into force, but an application may be made with leave of the Court although two years have not expired since the amendment came into force, in which event the procedures set out under section 38(2) and (3) of the Industrial Relations Act shall apply.

(3) Employees of the Corporation may form an association which may be registered as a trade union or may join a trade union.

PART VII

MISCELLANEOUS

Transitional Chap. 33:02.

40. On the appointed day all the rights and responsibilities of the Authority under the Slum Clearance and Housing Act shall vest in the Corporation.

Transfer and vesting of assets, liabilities, rights and obligations.

41. (1) On the appointed day all assets, liabilities, rights and obligations of the Authority (hereinafter referred to as "the undertakings") are hereby transferred to and vested in the Corporation.

(2) The effect of the vesting of the undertakings shall be that from the appointed day—

(a) every contract existing before the appointed day to which the Authority was a party, whether in writing or not, shall be construed and have effect as if—

(i) the Corporation were a party instead of the Authority;

(ii) for any reference to the Authority, whether express or implied, there were substituted as respect anything falling to be done on or after the appointed day, a reference to the Corporation; and

(iii) any reference, whether express or implied, to any director, officer, clerk or servant of the Authority were, in respect of anything falling to be done on or after the appointed day, a reference to such director, officer, clerk or servant of the Corporation as it may appoint, or, in default of appointment to the director, officer, clerk or servant of the Corporation who corresponds as nearly as may be to such director, officer, clerk or servant of the Authority;

(b) any account between the Authority and any other party shall become an account between the Corporation and that other party;

(c) any instruction, direction, mandate, power of attorney or consent given to or by the Authority and is in existence before the appointed day shall have effect as if given to or by the Corporation;

(d) any negotiable instrument or order for payment of money, which is expressed to be drawn on or given to or accepted or endorsed by

the Authority or payable to the Authority, shall have effect as if it had been drawn on or given to or accepted or endorsed by the Corporation or payable to the Corporation;

(e) any security provided by or for the Authority that before the appointed day was held as security for the payment or discharge of a debt or liability or obligation, whether present or future, actual or contingent, shall be held by and be available to a holder, as security for the payment or discharge by the Corporation of that debt or liability or obligation, and any such security which extends to future advances and future liabilities shall on and from the appointed day, be held by and be available to the holder as security for future advances and future liabilities of the Corporation in the same manner and in all respect as future advances to or liabilities of the Authority were secured immediately before the appointed day; and

(f) any judgment or award obtained by or against the Authority and not fully satisfied shall be enforceable by or against the Corporation.

Ch. 76:01.

(3) The Stamp Duty Act or any other charge enforceable by a written law with respect to the conveying of property and the transfer of assets, rights and obligations shall not apply to the vesting of property in the Corporation.

(4) Within five years of the appointed day, the value of the property vested in the Corporation under this section shall be determined by an independent valuator who shall report to the Board and thereafter once in every five years the Board shall cause valuation of the Corporation's assets to be done by an independent valuator in accordance with normal commercial practices.

Minister may make Regulations.

42. (1) The Minister may make Regulations prescribing matters—

(a) required or permitted by this Act to be prescribed; or

(b) necessary or convenient for carrying out or giving effect to this Act, and in particular for and in relation to housing matters including the operational and financial services of the Corporation and its subsidiaries.

(2) Regulations made under this section shall be subject to negative resolution of Parliament.

Board may make regulations.

43. (1) The Board may, with the approval of the Minister make regulations prescribing—

(a) appropriate standards for construction of houses; and

(b) fees or charges that may be made by the Corporation or any other person in connection with this Act.

(2) The Board shall ensure that regulations made under subsection (1)*(a)* and *(b)* are available to the public at any of the Corporation's offices.

(3) Regulations made under this section shall be subject to negative resolution of Parliament.

Partial repeal of the Housing Act.

44. Sections 3 through 10 and sections 65 through 78 of the Housing Act, are hereby repealed.

[Section 7(4)]

FIRST SCHEDULE

TERMS AND CONDITIONS OF BOARD MEMBERS

Terms and conditions of Board Members.

1. (1) A member of the Board other than the Managing Director, shall hold office for a term not exceeding three years and is eligible for reappointment.

(2) No member of the Board, other than the Managing Director, shall hold office for more than two consecutive terms.

(3) The appointment of a person is not invalidated and shall not be called into question by reason of a defect or procedural irregularity in, or in connection with his appointment.

(4) A member who is absent without leave for three consecutive meetings of the Board is deemed to have resigned his membership of the Board.

(5) The appointment of a member may be terminated at any time.

Acting members.

2. (1) The Minister may appoint a person who is not a member of the Board to act as a member—

(a) during a vacancy in the office of a member (whether or not an appointment has previously been made to the office); or

(b) during any period when a member is absent from duty or from Trinidad and Tobago or is, for any other reason (including the reason that a member is acting as Chairman) unable to perform the duties of the office of the member,

and such a person appointed to act during a vacancy shall not continue to act for more than six months.

(2) An appointment of a person under subclause (1), may be expressed to have effect only in such circumstances as are specified in the instrument of appointment.

(3) The Minister may—

(a) determine the terms and conditions of appointment, including remuneration and allowances in respect of a person appointed to act under subclause (1); and

(b) terminate such an appointment at any time.

(4) Where a person is acting in an office under clause (1)*(b)* and the office becomes vacant while the person is so acting, that person may continue so to act until the Minister otherwise directs, the vacancy is filled or a period of six months from the date on which the vacancy occurred expires, whichever occurs first.

3. The Board shall pay its members such remuneration as may be approved by the Minister. Remuneration of members of Board.

4. The Chairman may excuse a member from attending a meeting of the Board. Leave of absence.

5. (1) The Chairman may resign by instrument in writing addressed to the President through the Minister. Resignation of Chairman and Members.

(2) A member of the Board, other than the Chairman and the Managing Director, may resign by instrument in writing addressed to the Chairman, who shall cause it to be forwarded to the President through the Minister.

SECOND SCHEDULE

(Section 8).

CONDUCT OF PROCEEDINGS BY THE BOARD

1. The Chairman or, if for any reason the Chairman is unable to act, the Deputy Chairman shall— Meetings of Board.

(a) not less than once every two months convene such meetings of the Board, as are necessary for the efficient conduct of its functions; and

(b) on receipt of a written request signed by not fewer than three members, convene a meeting of the Board.

2. The Minister may at any time convene a meeting of the Board by written notice to the Chairman. Convening of meeting.

3. The quorum of a meeting of the Board is five members. Quorum.

4. (1) The Chairman shall preside at all meetings of the Board at which he is present. Procedure at meetings.

(2) In the event of the absence of the Chairman from a meeting of the Board, the Deputy Chairman shall preside at the meeting.

(3) In the event of the absence of both the Chairman and the Deputy Chairman from a meeting of the Board, the members present shall elect one of their number to preside at that meeting.

(4) All questions arising at a meeting of the Board shall be decided by a majority of the votes of the members present and voting, including the member presiding.

(5) In the event of an equality of votes on a resolution proposed at a meeting of the Board, the resolution shall be taken not to be passed but if the same resolution is proposed at the first meeting of the Board held after the date of that first mentioned meeting and there is again an equality of votes, the member presiding has a casting vote on the resolution.

(6) The Board may determine the conduct of proceedings at its meetings as it thinks fit.

(7) The Board shall provide a signed and confirmed copy of the minutes to the Minister within one week of the confirmation of the minutes.

Performance of Board's functions.

5. The performance of the functions or exercise of the powers of the Board is not affected by reason only—

(a) of their being a vacancy in the membership of the Board;

(b) that there is a vacancy in the office of Chairman or Managing Director; or

(c) the number of persons appointed under section 7(1) falls below seven for no longer than two months.

[Section 35(1)].

THIRD SCHEDULE

OFFICES IN THE STATUTORY AUTHORITIES' SERVICE COMMISSION ON ESTABLISHMENT OF THE AUTHORITY

Chief Executive Officer	Human Resource Officer III	Storekeeper	Clerk/ Stenographer IV	Clerk II
Deputy Executive Officer	Administrative Officer IV	Public Relations Officer	Clerk IV	Stores Clerk II
Director Human Resource Services	Human Resource Officer II	Engineering Assistant IV	Auditing Assistant	Electronic Data Processing Control Clerk I
Technical and Planning Services Superintendent	Quantity Surveyor I	Engineering Assistant III	Community Development Officer I	Clerk/ Stenographer II
Operations Superintendent	Property Maintenance Co-ordinator	Financial & Planning Officer	Paymaster I	Clerk/Typist II

Economic and Financial Affairs Superintendent	Civil Engineer I	Collections & Loans Officer	Works Supervisor I	Motor Vehicle Driver
Senior Human Resource Officer	Auditor III	Accountant II	Engineering Assistant I	Machine Operator I
Private Development Co-ordinator	Architect I	Auditor I	Draughtsman I	Clerk/ Stenographer I
Social Affairs Officer	Sociologist	Administrative Assistant	Conveyancing Clerk I	Messenger II
Regional Officer	Legal Services Advisor	Community Development Officer II	Clerk/ Stenographer III	Clerk I
Quantity Surveyor II	Solicitor I	Works Supervisor II	Accounting Assistant	Telephone Operator I
Land Settlement Co-ordinator	Programmer I	Engineer Assistant II	Audit Trainee	Clerk/Typist I
Development and Construction Engineer	Auditor II	Engineer Surveyor II	Clerk III	Receptionist
Civil Engineer II	Housing Superintendent	Draughtsman III	Public Relations Assistant	Messenger I
Cost Quantity Surveyor	Administrative Officer II	Machine Room Supervisor	Senior Machine Room Operator	
Architect II	Human Resource Officer I	Accountant I	Title Clerk I	
Accountant IV	Research Officer I	Draughtsman II	Cashier II	